



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

WALTER E. WHITCOMB
COMMISSIONER
HENRY S. JENNINGS
DIRECTOR

BOARD OF PESTICIDES CONTROL

**August 19, 2016
Conference Room
O'Donal's Nursery
6 County Road Gorham, Maine**

NOTE DIFFERENT LOCATION

AGENDA

11:30 AM

1. Introductions of Board and Staff
2. Minutes of the March 25 and the May 13, 2016 Board Meetings

Presentation By: Henry Jennings
Director

Action Needed: Amend and/or Approve

3. Public Forum (limited to one hour)

At this time, the Board invites anyone interested to address its members with questions or concerns about any pesticide-related issues.

Presentation By: Henry Jennings
Director

Action Needed: None required

4. Consideration of the EPA Special Local Need [FIFRA Section 24(c)] request to extend the use of Echo ZN, EPA Reg. 60063-4 for control of late blight (*Phytophthora infestans*) in long-season potatoes

The Special Local Needs (24c) request to extend the use of Echo ZN (EPA Reg. No. 60063-4) limits use to long-season potatoes during epidemics of severe late blight (*Phytophthora infestans*). The request is in response to high levels of late blight present in recent growing seasons in Maine, according to Steve Johnson, Ph.D., Crops Specialist, at the University of Maine Cooperative Extension. The continued use of this product at the higher annual maximum rate will permit

growers the needed flexibility to respond more effectively during unique growing conditions that promote late blight.

Presentation By: Mary Tomlinson
Pesticide Registrar

Action Needed: Approve/Disapprove 24(c) Registration Requests

5. Consideration of a Consent Agreement with the Maine Seed Company, Wales, Maine

On June 3, 1998, the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine to resolve the matter. This case involves the sale of a restricted use pesticide to grower with an expired license.

Presentation By: Raymond Connors
Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

6. Other Old or New Business

- a. Chapter 29 Variance for Dasco Inc.
- b. Chapter 29 Variance for Dubois Contracting
- c. Omega 24c 2016 Use Report
- d. Letter to the Board from Spear

7. Schedule of Future Meetings

September 23, November 4 and December 16, 2016 are tentative Board meeting dates. The Board will decide whether to change and/or add dates.

Adjustments and/or Additional Dates?

8. Adjourn

NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at www.thinkfirstspraylast.org.
- Any person wishing to receive notices and agendas for meetings of the Board, Medical Advisory Committee, or Environmental Risk Advisory Committee must submit a request in writing to the Board's office. Any person with technical expertise who would like to volunteer for service on either committee is invited to submit their resume for future consideration.

- On November 16, 2007, the Board adopted the following policy for submission and distribution of comments and information when conducting routine business (product registration, variances, enforcement actions, etc.):
 - *For regular, non-rulemaking business*, the Board will accept pesticide-related letters, reports, and articles. Reports and articles must be from peer-reviewed journals. E-mail, hard copy, or fax should be sent to the attention of Anne Chamberlain, at the Board's office or anne.chamberlain@maine.gov. In order for the Board to receive this information in time for distribution and consideration at its next meeting, all communications must be received by 8:00 AM, three days prior to the Board meeting date (e.g., if the meeting is on a Friday, the deadline would be Tuesday at 8:00 AM). Any information received after the deadline will be held over for the next meeting.
- During rulemaking, when proposing new or amending old regulations, the Board is subject to the requirements of the APA (Administrative Procedures Act), and comments must be taken according to the rules established by the Legislature.